

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

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**WILLIAM CARRUBE**

VS.

**CASE NUMBER: 3:08-cv-830  
(FJS/VEB)**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Report and Recommendation of Magistrate Judge Victor E. Bianchini is adopted in its entirety. The decision of the Commissioner denying disability benefits is REVERSED and this matter is REMANDED to the Commissioner for further administrative proceedings in accordance with Sentence 4 of 42 U.S.C. § 405(g). This action is hereby closed.

All of the above pursuant to the Order of the Honorable Senior United States District Judge Frederick J. Scullin, Jr., dated the 27<sup>th</sup> day of May, 2010.

DATED: May 28, 2010

  
Clerk of Court

s/  
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Melissa Ennis  
Deputy Clerk